

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SJUNDE AP-FONDEN, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

THE GOLDMAN SACHS GROUP, INC.,
et al.,

Defendants.

Civil Case No. 1:18-cv-12084-VSB

**~~PROPOSED~~ ORDER GRANTING PLAINTIFF’S UNOPPOSED MOTION FOR
ISSUANCE OF HAGUE CONVENTION LETTERS OF REQUEST FOR
INTERNATIONAL JUDICIAL ASSISTANCE TO OBTAIN TESTIMONY**

Plaintiff moves under Fed. R. Civ. P. 28(b), 28 U.S.C. §1781(b)(2), and the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters, 23 U.S.T. 2555, reprinted in 28 U.S.C. § 1781, for the issuance of Letters of Request to the Senior Master of the Queen’s Bench Division of the High Court of England and Wales for its assistance in obtaining the sworn testimony of Patrick Kidney, Toby Watson, and Cyrus Shey, former employees of Defendant The Goldman Sachs Group, Inc., who, upon information and belief, each currently reside in the United Kingdom.

WHEREAS, the Court is satisfied that “the evidence sought may be material or may lead to the discovery of material evidence,” *Netherby Ltd. v. Jones Apparel Grp., Inc.*, 2005 WL 1214345, at *1 (S.D.N.Y. May 18, 2005);

WHEREAS, Defendants do not oppose Plaintiff’s Motion seeking the issuance of the Letters of Request seeking the sworn testimony of Patrick Kidney, Toby Watson, and Cyrus Shey as attached as Exhibits A-C to the May 20, 2022 Declaration of Andrew L. Zivitz in Support of

Plaintiff's Unopposed Motion for Issuance of Hague Convention Letters of Request for International Judicial Assistance to Obtain Testimony;


IT IS HEREBY ORDERED:

i. Plaintiff's May 20, 2022 Unopposed Motion for Issuance of a Hague Convention Request for International Judicial Assistance to Obtain Testimony is **GRANTED**. The Court will post signed versions of Plaintiff's proposed Letters of Request to the docket. The Clerk of Court is respectfully directed to authenticate the Court's signature by affixing the Court's seal thereto and to arrange for the transmission of the authenticated copies to Plaintiff's counsel, who may then transmit the same to the Senior Master of the Queen's Bench Division of the High Court of England and Wales; and

ii. Plaintiff's May 9, 2022 Motion for Issuance of a Hague Convention Request for International Judicial Assistance to Obtain Testimony (ECF No. 171) is **DENIED WITHOUT PREJUDICE**.

SO ORDERED. The Clerk of Court is respectfully directed to close the open motion at Doc. 171, as it is mooted by this motion.

Date: May 24, 2022
New York, New York


Hon. Vernon S. Broderick
United States District Judge